

RECORDATION NO. 25866-C FILED

MAY 26 '09 -10 45 AM

SURFACE TRANSPORTATION BOARD

ALVORD AND ALVORD  
ATTORNEYS AT LAW  
1050 SEVENTEENTH STREET, N.W.  
SUITE 301

WASHINGTON, D.C.

20036

(202) 393-2266

FAX (202) 393-2156

E-MAIL [alvordlaw@aol.com](mailto:alvordlaw@aol.com)

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

OF COUNSEL  
URBAN A. LESTER

May 26, 2009

Anne K. Quinlan, Esq.  
Acting Secretary  
Surface Transportation Board  
395 "E" Street, S.W.  
Washington, D.C. 20423-0001

Dear Ms. Quinlan:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Partial Release, dated as of May 19, 2009, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Master Equipment Lease Agreement previously filed with the Board under Recordation Number 25866-A.

The name and address of the party to the enclosed document are:

Lessor: Banc of America Leasing & Capital, LLC  
(successor-by-merger to Fleet Capital Corporation)  
One Financial Plaza  
Providence, RI 02903

[Lessee: The Andersons, Inc.  
480 West Dussel Drive  
Maumee, OH 43537]

Anne K. Quinlan, Esq.  
May 26, 2009  
Page 2

A description of the railroad equipment covered by the enclosed document is:

1 railcar: AEX 2083.

A short summary of the document to appear in the index is:

Partial Release.

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alvord", with a long horizontal stroke extending to the right.

Robert W. Alvord

RWA/sem  
Enclosures

RECORDATION NO.

25866-C  
FILED

MAY 26 '09

-10 45 AM

## PARTIAL RELEASE

## SURFACE TRANSPORTATION BOARD

KNOW ALL MEN BY THESE PRESENTS: Banc of America Leasing & Capital, LLC, Successor-By-Merger To Fleet Capital Corporation hereby releases all of its right, title and interest in and to, the railcar more specifically described as follows:

AEX 2083

The primary document(s) to which this PARTIAL RELEASE relates, are between Banc of America Leasing & Capital, LLC Successor-By-Merger To Fleet Capital Corporation (Lessor) and The Andersons, Inc. (Lessee), was recorded with the Surface Transportation Board, under Recordation Number 25866-A dated September 29, 2005.

IN WITNESS WHEREOF, Banc of America Leasing & Capital, LLC Successor-By-Merger To Fleet Capital Corporation has hereunto set its name, by its proper office thereunto duly authorized, this 19th day of May 2009.

Banc of America Leasing & Capital, LLC  
Successor-By-Merger to Fleet Capital Corporation

By: Sandra Buonaiuto

STATE OF Rhode Island  
County of Providence

On this 19th day of May 2009, personally appeared Sandra Buonaiuto to me personally known, who, being duly sworn, did say that she is the Vice President of Banc of America Leasing & Capital, LLC Successor-By-Merger To Fleet Capital Corporation and that said instrument was signed by authority of its board of directors, and she acknowledged said instrument to be the free act and deed of said corporation.

BEFORE ME: Tina Costa

Notary Public

Expiration: 04/02/2011



CERTIFICATION

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

5/26/09



\_\_\_\_\_  
Robert W. Alvord